

Gilsenan, Michael

From: Bellow.Bonnie@epamail.epa.gov
Sent: Monday, June 10, 2002 2:02 PM
To: Mears.Mary@epamail.epa.gov; Callahan.Kathy@epamail.epa.gov;
 LaPosta.Dore@epamail.epa.gov; Fitzpatrick.Robert@epamail.epa.gov;
 Santella.Dennis@epamail.epa.gov; Rotola.Joe@epamail.epa.gov;
 Basso.Ray@epamail.epa.gov
Cc: Bellow.Bonnie@epamail.epa.gov; FMCCarton@OEM.NYC.GOV; Gilsenan, Michael
Subject: Re: 125 Cedar

My understanding from [PII] one of the tenants who has been calling me for months, is that individual residents did go in and clean up their own units on their own. She has small children and was concerned enough not to clean her unit herself, but she did express concern that some of her neighbors were going in wearing improperly fitting respirators and doing the work. At one point she asked us to see if we could get them fit tested. We were always clear that these apts. needed to be cleaned professionally.

Various city response agencies used apts at 125 Cedar as a base of operations. I can't believe no one thought about this issue before!

 Sent from my BlackBerry Wireless Handheld.

----- Original Message -----
From: Mary Mears/R2/USEPA/US
To: Kathy Callahan/R2/USEPA/US@EPA,
 Dore LaPosta/R2/USEPA/US@EPA,
 Robert Fitzpatrick/R2/USEPA/US@EPA,
 Dennis Santella/R2/USEPA/US@EPA,
 Joe Rotola/R2/USEPA/US@EPA,
 Ray Basso/R2/USEPA/US@EPA
Cc: Bonnie Bellow/R2/USEPA/US@EPA,
 FMCCarton@OEM.NYC.GOV,
 michaelgi@dep.nyc.gov
Date: 06/10/2002 12:30:22 PM
Subject: 125 Cedar

I got a call from NBC TV. The reporter said that residents from 125 Cedar are upset because EPA and the city "told them to remove their own debris" and now it seems that they may have unwittingly moved human remains. The reporter said that they have removed "tons of debris" from 125 Cedar (is that true I wonder?). I explained that EPA and the city directed building owners to get a professional contractor to remove debris and that we never recommended that they do it themselves. His issue is more why the city didn't look at the buildings to look for remains before. I gently reminded him that the city was dealing with a 7 story high debris pile, but I directed him to Frank McCarton at OEM. He said "so EPA doesn't care about human remains." I said of course we care, but that our role is on the environmental side and that OEM and FDNY took the lead in recovery efforts.

Gilsenan, Michael

From: Vasquez, Frank
Sent: Monday, June 10, 2002 4:31 PM
To: Hoffer, Mark; Gilsenan, Michael (ex)
Cc: Bennett, Paul
Subject: 130 Liberty Street - Deutsche Bank

Importance: High

Mark I attended a meeting today with the Commissioner Odarmatt (OEM), DDC, DEC, FDNY, OEM Legal, Corporate Counsel, and The Legal Team from Deutsche Bank regarding debris removal from the interior of 130 Liberty Street.

In short the city is under a lot of pressure to check that building for remains after body parts were discovered inside of 130 Cedar Street last week.

Tentatively, the city made an initial offer to remove the debris in question via a contractor hired by DDC (Safeway Environmental) under the supervision of FDNY "recovery" teams. Areas would be sealed off to prevent cross contamination and all debris would be tested, sealed and sent to the Fresh Kills landfill. Once at Fresh Kills the debris would not be disturbed until all the test results came back. Material that came back with hazardous materials would be "sifted" through at a safe location and all other material would be raked through at Fresh Kills. The city offered to take "responsibility/liability" for all material removed from 130 Liberty Street during this "recovery" effort.

Deutsche Bank wants the debris tested "on-site", and is willing to let the DDC contractor begin preparations on "sealing" floors that are to be searched for debris. They also stated that the City does not have the legal right to take over "responsibility/liability" of any material removed from 130 Liberty Street and Deutsche Bank wants the material handled as hazardous as per Federal, State, and City guidelines.

OEM, DDC and FDNY have been asking Deutsche Bank for test results on this debris since last week and Deutsche Bank responded that non-biological testing results could be ready by Wednesday-Thursday & biological testing results (ie:mold & DNA) would be available by Friday or early next week.

Commissioner Odarmatt then gave Deutsche Bank a deadline of Wednesday June 12, 2002 to provide him with whatever results they may have for the interior debris of 130 Liberty Street. He then notified them that Thursday June 13, 2002 "recovery crews" plan on entering 130 Liberty Street even if the city has to do it under a **criminal search warrant**.

Commissioner Odarmatt asked if you could contact, Deputy Commissioner Lai-Sun Yee (OEM LEGAL) 718-422-4617 regarding any issues DEP may have on this issue.

If I can be of any further assistance regarding this issue please contact me at x4815 or 917-769-1701.